

The Government's recent sidelining of the House of Lords highlights the absolute irrelevance of the institution.

Feb 6 2012

*Rid of pomp and circumstance, and boasting a newly found political legitimacy, **Bart Cammaerts** argues that a reformed House of Lords would command the political attention and respect of government.*



The utter irrelevance of the House of Lords, in its current form, was highlighted recently by the coalition government's use of a rather obscure parliamentary rule, based on a resolution from 1671, to sideline the second chamber and prevent it from scuppering welfare reform.

In democracies a second chamber serves a variety of functions and takes on a diversity of shapes. It often has quite different electoral procedures; it is often constituted differently than the first chamber and also tends to fulfill a different role. In most democracies the second chamber gradually moved from a place where the hereditary principle ruled and where the land owning aristocracy and higher clergymen could veto decisions made by the commoners to an institution where elder statesmen and/or elected senators reflect and counter-balance the legislative power of the first chamber. For example, in many Federal countries the second chamber counter-balances the proportional representation of the first chamber by having a more equal number of senators of the different regions that make up the federal state.

In most constitutional monarchies the only remnants of the early days of democracy when universal suffrage was still an inconceivable ideal and the aristocracy actually kept calling the shots (both figuratively speaking and literally) is that some members of the royal family, usually the heir to the throne, are also members of the second chamber, but this is more symbolic than about wielding any influence. Some second chambers also have a limited number of appointed or co-opted members, but they have to be renewed each term.

The House of Lords is unique in a comparative perspective with other democracies in that it combines a commitment to the hereditary (and divine) principle with the elevation of 'ordinary' citizens to the status of peers, which is actually some kind of level in-between the 'real' aristocracy and the common people. Theoretically, this immense honour is bestowed on somebody based on merit. However, in reality the peerages are duly granted on party political grounds, whatever they may be, giving large donations to a party seems to help a great deal. Put in this crass way, it all does sound a bit archaic and stemming from a past era. And that is because it is.

I would go even further as to argue that precisely because this institution is so firmly embedded in a long forgone time and lacking democratic legitimacy, it is much easier for the government and the elected House of Commons to assert its primacy and completely ignore the contestations of the distinguished Lords and Ladies. Should the British second chamber be populated by elected senators and rid of its pomp and circumstance, it would be taken much more seriously and it would be politically much more difficult for the government to ignore it.

The debate about the reform of the House of Lords (and Ladies) is about to start again in earnest and

while it looks certain that reform of some sort will take place, unsurprisingly, it will not be a radical reform. Appointed lifelong peers will most probably still make up 20 per cent of the members of the House of Lords, the hereditary peers (Lords Temporal) will remain in place until they die, there will still be a contingent of Bishops (Lords Spiritual) and elected members will receive a whopping 15 years mandate as only one third of seats reserved for elected members will be up for grabs every five years. Surprisingly, given last year's AV referendum, according to the current proposals the new House of Lords would be elected based on a proportional system of representation rather than first past the post.

This brings me to my final point, if in future the second chamber is going to be (predominantly) elected and thus democratically accountable, is it not time too to seek another name for the new upper house, if only to reflect the move away from its hereditary past?

You may also be interested in the following posts (automatically generated):

1. [An independent Scrutiny Commission could take over the constitutionally valuable roles that the House of Lords presently performs, and at lower cost – whether we move to create an elected second chamber; or reform the unacceptable features of the current House of Lords; or just scrap a second chamber altogether](#)
2. [The House of Lords is an effective safeguard against absolutism and improper legislation. The government should not force through reforms that would reduce the independence of its members](#)
3. [The government's approach to reforming the House of Lords is 80 per cent of the way there. Nick Clegg needs to take courage and to go the rest of the way to a more democratic and coherent, wholly elected Senate.](#)
4. [Nick Clegg's proposals for reform of the House of Lords just don't work](#)